

AMENDED IN ASSEMBLY JULY 6, 2005

AMENDED IN ASSEMBLY JUNE 9, 2005

AMENDED IN SENATE APRIL 12, 2005

SENATE BILL

No. 967

**Introduced by Senators Florez and Ashburn
(Principal coauthor: Senator Perata)**

February 22, 2005

An act to add Section 56328.5 to the Government Code, relating to local agency formation commissions.

LEGISLATIVE COUNSEL'S DIGEST

SB 967, as amended, Florez. Local agency formation.

Existing law sets forth the composition of and procedures for the selection of members of local agency formation commissions within each county. Under existing law, these commissions are composed of 5 members, 2 representing the county, 2 representing the city or cities within the county, and one representing the general public. These commissions are augmented by 2 members where the county orders representation of special districts upon the commission.

This bill would augment the commission in Kern County, which consists of 7 members, by the appointment of an 8th member, who shall be a member of the legislative body of the city in the county having the largest population and shall be appointed by the legislative body of that city and the appointment of a 9th member, who shall ~~be a mayor or council member of another city in the county~~ *represent the general public* and shall be appointed by the ~~city selection committee~~ *commission members appointed by the county board of supervisors and the independent special district selection committee.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56328.5 is added to the Government
2 Code, to read:

3 56328.5. (a) In Kern County, the commission, which consists
4 of seven members, augmented pursuant to Section 56332, shall
5 be additionally augmented by the appointment of an eighth
6 member and a ninth member. The

7 (b) The eighth member shall, notwithstanding subdivision (b)
8 of Section 56325, be a member of the legislative body of the city
9 in the county having the largest population, appointed by the
10 legislative body of that city. ~~The ninth member shall be a mayor~~
11 ~~or council member of one of the other cities in the county~~
12 ~~appointed by the city selection committee pursuant to Section~~
13 ~~56335.~~

14 ~~(b) The~~

15 The legislative body of the city shall appoint an alternate
16 member at the same time and in the same manner as it appoints
17 the eighth regular member appointed pursuant to subdivision (a).
18 If the regular city member is absent from a commission meeting,
19 or disqualifies himself or herself from participating in a meeting,
20 the alternate member may serve and vote in place of the regular
21 city member for that meeting. If the office of the regular city
22 member becomes vacant, the alternate member may serve and
23 vote in place of the former regular city member until the
24 appointment and qualification of a regular city member to fill the
25 vacancy.

26 ~~(c) The city selection committee shall also appoint an alternate~~
27 ~~member at the same time and in the same manner as it appoints~~
28 ~~the ninth regular member appointed pursuant to subdivision (a).~~
29 ~~The alternate shall also be a mayor or council member. If the~~
30 ~~ninth regular member is absent from a commission meeting, or~~
31 ~~disqualifies himself or herself from participating in a meeting,~~
32 ~~the alternate member may serve and vote in place of the ninth~~
33 ~~regular member for that meeting. If the office of the ninth regular~~
34 ~~member becomes vacant, the alternate member may serve and~~
35 ~~vote in place of the former ninth regular member until the~~

1 ~~appointment and qualification of the ninth regular member to fill~~
2 ~~the vacancy.~~

3 *(c) The ninth member shall represent the general public, but*
4 *shall not be a member of the governing body of any local agency.*
5 *The ninth member shall be appointed by the four members of the*
6 *commission appointed by the county supervisors and the*
7 *independent special district selection committee. Those*
8 *commission members may also appoint an alternate public*
9 *member, who is not a member of the governing body of any local*
10 *agency, who may serve and vote in the place of the regular*
11 *public member appointed pursuant to this subdivision if that*
12 *regular public member is absent or disqualifies himself or herself*
13 *from participating in a meeting of the commission. If the office of*
14 *the regular public member appointed pursuant to this subdivision*
15 *becomes vacant, the alternate member may serve and vote in*
16 *place of that former regular public member until the appointment*
17 *and qualification of a regular public member pursuant to this*
18 *subdivision to fill the vacancy.*